REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-41 were pending in the application, of which Claims 1, 26, 27, 32, 36, and 40 are independent. In the Office Action dated November 15, 2004, the specification was objected to, Claims 1-5, 25-31, and 36-41 were rejected under 35 U.S.C. § 102(e), and Claims 6-24 and 32-35 were objected to, but were deemed allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Following this response, Claims 1-41 remain in this application. Applicant hereby addresses the Examiner's objections and rejections in turn.

I. Objection to the Specification

In the Office Action dated November 15, 2004, the Examiner objected to the specification due to missing status information of a co-pending application. The specification has been amended, and Applicant respectfully submits that the amendment overcomes this objection and adds no new matter.

II. Rejection of the Claims Under 35 U.S.C. § 102(e)

In the Office Action, the Examiner rejected Claims 1-5, 25-31, and 36-41 under 35 U.S.C. § 102(e) as being anticipated by U.S. Published Patent Application No. 2002/0194232 ("*Walster*"). Applicant respectfully traverses this rejection.

Regarding Claim 1, the Examiner stated that *Walster* discloses executing a floating point arithmetic operation followed by determining whether NaN substitution is

necessary. (*See* Office Action, page 2, lines 15-17.) In contrast, Applicant asserts that *Walster* does not support the Examiner's rejection. For example, *Walster* merely discloses ignoring default NaN values prior to computing a minimum/maximum. (*See* Abstract, Claim 1.) For example, *Walster* discloses first evaluating operands and then returning a default result. (*See* Table 2.) If all the operands are NaN, *Walster* provides a default result (-inf) without performing a floating point operation. Accordingly, *Walster* does not determine whether a NaN substitution is necessary for a floating point arithmetic operation's result. Instead, *Walster* evaluates the operands before a floating point operation, and then provides a default result based on the evaluation.

In light of the above remarks, Applicant asserts that the rejection of Claim 1 is not supported by the cited art and withdrawal of the rejection is respectfully requested. Applicant asserts that the rejections of Claims 26, 27, 32, 36, and 40 are also not supported by the cited art and should be withdrawn for the reasons outlined above in response to the rejection of Claim 1.

Dependent Claims 2-5, 25, 28-31, 37-39, and 41 are also allowable at least for the reasons above regarding independent Claims 1, 26, 27, 32, 36, and 40, and by virtue of their respective dependencies upon independent Claims 1, 26, 27, 32, 36, and 40. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claims 2-5, 25, 28-31, 37-39, and 41.

III.   Conclusion

In view of the foregoing remarks, Applicant respectfully requests the reconsideration and reexamination of this application and the timely allowance of the

pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: February 2, 2005   By:

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